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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,588	04/03/2001	Mazen Chmaytelli	010042	3724

23696 7590 08/01/2007

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EXAMINER	
RAMPURIA, SHARAD K	
ART UNIT	**PAPER NUMBER**
2617	

NOTIFICATION DATE	DELIVERY MODE
08/01/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/825,588	CHMAYTELLI ET AL.	
	Examiner	Art Unit	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-6,9-11,20-22 and 25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *4-6, 9-11, 20-22, 25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Disposition of the claims

II. The current office-action is in response to the Amendment - After Non-Final Rejection filed on 05/07/2007.

Accordingly, Claims 1-3, 7-8, 12-19, 23-24 are cancelled and Claims 4-6, 9-11, 20-22, 25 is imminent for further assessment as follows:

Claim Rejections - 35 USC § 103

III. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4, 6, 9-11, 21-22, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Criss et al.** (US 6643506) in view of **Salgado et al.** [US 20020067504].

As per claims 4, 25, Criss teaches:

A method for a wireless device capable of communicating over a wireless network and having operating software for supporting a computer platform on said wireless device (Col.7; 18-38) capable of executing applications (Abstract, Col.7; 15-51), comprising:

Booting-up the wireless device (Col.11; 57-65) initializing said wireless device for normal communications over the wireless network (Col.7; 32-40)

Criss doesn't teach specifically, after said booting-up, remotely receiving a recall command including a unique application identification for a targeted application available for execution on said computer platform of said wireless device; and responsive to said remote recall command, uninstalling said targeted application without requiring end-user interaction. However, **Salgado** teaches in an analogous art, that after said booting-up, remotely receiving a recall command including a unique application identification for a targeted application available for execution on said computer platform of said wireless device; and responsive to said remote recall command, uninstalling said targeted application without requiring end-user interaction. (e.g. remotely updating the software/program/driver in the device at the time booting-up; ¶ 0024). Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to modify Criss including after said booting-up, remotely receiving a recall command including a unique application identification for a targeted application available for execution on said computer platform of said wireless device; and responsive to said remote recall command, uninstalling said targeted application without requiring end-user interaction in order to provide an automatic upgrade feature that checks an update location for a newer version of the printer driver and upgrades to that version if it exists. (¶ 0007, 0010).

As per claim 5, Criss teaches:

The method of claim 5, wherein the recall command comprises an identification of said specific application and an instruction for causing said wireless device to delete said specific application. (Col.7; 32-40)

As per claim 9, Criss teaches:

The method of claim 5 wherein said step of uninstalling comprises; searching a database on said wireless device using said identification to determine an address range corresponding to said specific application and deleting contents of said address range. (Col.7; 32-40)

As per claim 10, Criss teaches:

A server to cause a recall of a specific application installed on a subset of wireless devices selected from a set of wireless devices (Col.7; 18-38), each wireless device in said set capable of communicating over a wireless networks said server capable of communicating over said wireless network (Abstract, Col.7; 15-51) the method comprising:

Maintaining a database for identifying each application installed on each wireless device of said set; (Col.7; 15-51) and

Criss doesn't teach specifically, a processor which searches said database to identify said subset of wireless devices having said targeted application installed; and a communication interface which sends an application recall command including a unique application identification for the targeted application to each wireless device in said subset which initiates uninstalling said targeted application without requiring user interaction on the wireless devices. However, **Salgado** teaches in an analogous art, that a processor which searches said database to identify said subset of wireless devices having said targeted application installed; and a communication interface which sends an application recall command including a unique application identification for the targeted application to each wireless device in said subset which initiates uninstalling said targeted application without requiring user interaction on the wireless devices.

As per claims 11, Criss teaches:

The method of claim 10, wherein each recall command comprises an identification of said specific application and an instruction for causing one of said wireless devices from said subset of wireless devices to delete said specific application. (Col.7; 32-40)

As per claim 21, Criss teaches:

The method of claim 5, wherein each recall command further comprises: a uninstall application, which when executed by a wireless device, deletes said specific application. (Col.7; 32-40)

As per claim 22, Criss teaches:

The method of claim 10, wherein each recall command further comprises:

A uninstall application, which when executed by a wireless device, deletes said specific application. (Col.7; 32-40)

Claims 5, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Criss & Salgado** in view of **Vanttila et al.** [US 5794142].

As per claims 5, 20, the above combination teaches all the particulars of the claim except the recall command is sent to the wireless device via a short- message service (SMS) message. However, **Vanttila** teaches in an analogous art, that claim 5, wherein the recall command is sent to the wireless device via a short- message service (SMS) message. (e.g. SMS; Col.6; 43-54) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including the recall command is sent to the wireless device via a short- message service (SMS) message in order to provide an efficient and simple mechanism to enable a network provider or operator to remotely activate a specified feature. (Col.2; 46-55)

Response to Remarks

IV. Applicant's arguments with respect to claims 4-6, 9-11, 20-22, 25 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

V. Applicant's amendment (For illustration; including a unique application identification for a targeted application) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or *EBC@uspto.gov*.

/Sharad Rampuria/
Patent Examiner
Art Unit 2617

GEORGE ENG
SUPERVISORY PATENT EXAMINER